REMARKS

Reconsideration of the application as amended is respectfully requested.

Status of Claims

Claims 1-4, 6-10, 12, 18 and 19 have been allowed. Claims 13-15 have been rejected. Claims 16 and 20 have been objected to because they depend from rejected base claims, but would otherwise be allowable if rewritten into independent form. Claims 21-23 are new. No claims have been cancelled.

Rejection Under 35 U.S.C. §103

Applicants respectfully traverse the rejection of claims 13-15 under 35 U.S.C. §103(a) as being unpatentable over US 7,139,838 of Squire et al. in view of US 2009/0052457 of Salama et al.

The examiner appears to contend that Squire et al. meet all the limitations of claim 13 but one: Squire et al. do not expressly disclose modifying the next hop information. In support of this reasoning, the examiner cites the following passages from Squire et al.: col. 2, lines 50-67; col. 3, lines 29-41; col. 4, lines 47-67; col. 5, lines 5-15; and FIG. 3, steps 128-130, 106-110, and 112-114. It is respectfully submitted that the passages and FIG. 3, the figure to which the passages appear to relate, do not appear to teach at least certain ones of the limitations for which it has been cited.

FIG. 3 represents a distribution protocol for interdomain distribution and intradomain flooding (a form of database synchronization) of routing information, in particular IP multimedia signaling, contained in a message that is received at a node. Col 3, line 65, to col. 4, lines 8. A node receives routing information in a message from an internal or external peer. Routing information may include a route from one domain to another to get to a destination domain, capability information or signaling protocols. Col. 2, lines 50-53. The decision on how to distribute the routing information that is in a received message to that node's peers (both internal to the domain and external to the node's domain) depends on whether a routing information message is received from in internal or external peer, and what type of peer the node's other peer's are. The process of FIG. 3, which is described in part by the passages cited by the examiner, therefore represents a decision tree on whether or not to distribute a routing information message that it receives to other peers. See col. 2, lines 59-67.

It is respectfully submitted that are several errors in the way the examiner has interpreted claim 13 and applied Squire et al. to it.

First, the examiner contends that Squire et al. disclose a method of filtering and distributing routes in a virtual private network, and cites col. 2, lines 50-67 and col. 3., lines 29-41 for this proposition. Applicants can find no reference to a virtual private network in the cited passages.

Second, the examiner contends that the routing information in Squire et al.'s routing information includes, for each route, a route distinguisher, a route target and next hop routing

information. Applicants cannot find any reference to a route distinguisher or a route target in the cited passages or in FIG. 3.

The examiner appears to contend that the "ID", presumably the ID of the routing information message, constitutes a route distinguisher and that the route target is a destination address. As explained on page 2, at lines 17-19, a route distinguisher is an identifier that is used to differentiate IP addresses or IPV4 prefixes of a VPN from one another in the event customers of the VPN are not using globally unique IP addresses. Even if the term were to be interpreted literally, as the examiner appears to be doing, the ID appears to identify the message, not any route or routing information contained within the message.

Regarding the examiner's contention that the destination address is a "route target," it is not clear to applicants what destination address the examiner is referring to. There appears to be no reference in the cited passages to a destination address. Presumably, the destination address to which the examiner is referring is the address of the destination host or network for which the routing information is being supplied. On page 2, at lines 3-8, the specification mentions that RFC 2547bis constrains the distribution of routing information to routers using route targets. According to this RFC, a "Route Target attribute can be thought of as identifying a set of sites. (Though it would be more precise to think of it as identifying a set of VRFs.) Associating a particular Route Target attribute with a route allows that route to be placed in the VRFs that are used for routing traffic which is received from the corresponding sites." The route target is not the IP address that the routing information describes how to reach. It is therefore submitted that Squire et al. does not meet the route target limitation.

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Although the examiner must give claims their broadest reasonable interpretation, that interpretation must be consistent with the specification. It is submitted that the examiner's interpretation of at least the terms "route distinguisher" and "route target" is inconsistent with the specification for the foregoing reasons, and is thus in error.

Third, the examiner cites lines 53-64 of col. 4 as meeting the limitation "accepting a first subset of a plurality of routes according to a predetermined policy." However it is respectfully submitted that the cited passage does not meet this limitation. The passage appears to describe what happens in connection with a preferred embodiment of step 120 of FIG. 3. That step basically determines whether or not a message that is received is in fact a new message. If it is not new message, as shown by FIG. 3, the protocol will not distribute it, as the routing information has already been distributed. If it is new, it is forwarded to internal peers using a flooding method and to external peers according to a predetermined policy. See steps 126 and 128 of FIG. 3. The claim calls for accepting a first subset of routes. If the message is old, the route has in effect been accepted. All routes appear to be, in effect, accepted by the node for inclusion in its tables without application of any policy. The cited passage concerns only whether a message has been previously received, and thus cannot meet the claim limitation.

It is, thus, respectfully submitted that Squire et al. cannot meet each and every one of the limitation of claims 13, 14 and 15 for which it has been cited for at least the foregoing reasons, and therefore no *prima facie* case of obviousness has been established.

Furthermore, it is respectfully submitted that the reasoning supplied examiner for combining Salama et al. with Squire et al. is not logical and thus does not demonstrate why someone of ordinary skill in the art would find the claimed subject matter obvious. If the next hop information is to be modified for preventing routing loops, then it seems that it would need to be done for all routes, and not a subset of them ones that are received. For this additional reason, no *prima facie* case of obviousness has been established.

Turning to claims 14 and 15, the examiner completely fails to mention how Squire et al. or Salama meets the limitation that the next hop information in of the second subset routes is modified to be the address of a firewall or a node acting as a firewall of the VPN. It is submitted that these references, alone or in combination, do not meet these limitations. Therefore, for this reason, as wells as those identified above in connection with claim 13, no *prima facie* rejection has been established for these claims.

In conclusion, applicants respectfully submit the examiner has not established a *prima facie* case of obviousness of any of claims 13-15 for any one or all of the foregoing reasons. Withdrawal of the rejection is therefore requested.

New Claims

It is respectfully submitted that the new claims are allowable for at least the reason that claim 13, from which they depend, is allowable.

Interview Request

Applicants respectfully request an interview prior to the next action to discuss the application of the references to the claims, clarify any remarks, and to answer questions.

The Director is hereby authorized to charge any fees due for this paper or credit any overpayments made to Deposit Account No. 070153 of Gardere Wynne Sewell LLP, referencing 131105-1003.

Dated: January 13, 2011   Respectfully submitted,

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